

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

RONALD LAFLEUR

Petitioner,

v.

CASE NO: 05-CV-71793-DT

JEFF WHITE,

Respondent.

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION
AND DISMISSING THE PETITION FOR WRIT OF HABEAS CORPUS**

This matter is before the Court on Petitioner Ronald LaFleur's petition for writ of habeas corpus under 28 U.S.C. § 2244(d)(1)(A). This matter was referred to United States Magistrate Judge Paul J. Komives pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72.1. In his report, the Magistrate Judge recommended that this court grant respondent's motion for summary judgment and dismiss the petition for habeas corpus. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C); thus further appeal rights are waived.¹

Having reviewed the file and the Report, the court concludes that the findings and conclusions of the magistrate judge are correct and ADOPTS the same for purposes of this Order.

¹ The failure to object to the magistrate judge's report releases the court from its duty to independently review the motion. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, IT IS ORDERED that, for the reasons set forth in the magistrate judge's Report and Recommendation, the respondent's motion for summary judgment is GRANTED and the petition for writ of habeas corpus is DISMISSED.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: August 31, 2006

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, August 31, 2006, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522